

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-69/22
Location: 111 Watson Road South
Hearing Date: June 8, 2023
(deferred from the November 10, 2022 hearing)
Owner: Peter Kraner
Agent: Connor Parent, Tacoma Engineers
Official Plan Designation: Industrial
Zoning Designation (1995)-14864: Industrial (B.2) Zone
Zoning Designation (2023)-20790: Industrial (B) Zone

Zoning By-Law (1995)-14864 Requirements:

The By-Law requires a landscaped strip consisting of trees, shrubbery, and/or berms to screen an off-street loading space so that it is not visible from any public street.

Zoning By-Law (2023)-20790 Requirements:

The By-law requires all loading spaces facing a public street be screened with a minimum 3 metre wide buffer strip.

Request:

The applicant is seeking relief from the By-Law requirements to permit an off-street loading space that is partially visible from a public street.

Staff Recommendation

Approval with Condition

Recommended Conditions

Planning Services

1. That revised landscape plans showing partial screening of the off-street loading space in accordance with the Public Notice sketch shall be submitted through the site plan application process and be approved by the General Manager of Planning and Building Services.
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Comments

Planning Services

The subject application was deferred at the November 10, 2022 Committee of Adjustment Hearing to allow the applicant time to further discuss the application with staff.

The subject property is designated "Industrial" in the City's Official Plan. This designation permits industrial uses, including manufacturing, processing, warehousing, bulk storage of goods, and other uses as permitted in the Industrial designation. Policy 8.13.6 of the Official Plan states that "loading bays, waste service areas and building utilities/mechanical equipment should be located within a building. If permitted outside a building, they shall not be located immediately adjacent to an intersection, will be directed away from a public street, or adequately screened if this is not possible." The applicant is requesting a variance to permit an off-street loading space that is partially visible from a public street to facilitate an industrial building addition. The applicant has worked with staff and an acceptable landscape solution has been provided that demonstrates the off-street loading space will be partially screened from the public street. The requested variance meets the general intent and purpose of the Official Plan.

The subject property is zoned "Industrial" (B.2) according to Zoning By-law (1995)14864, as amended and is zoned "Industrial" (B) according to Zoning By-law (2023)-20790, as amended. The applicant is requesting a variance to both By-laws to permit an off-street loading space that is partially visible from a public street. A variance to Section 7.3.3 of Zoning By-law (1995)-14864, as amended is required as the By-law requires a landscaped strip consisting of trees, shrubbery, and/or berms to screen an off-street loading space so that it is not visible from any public street. A variance to Section 5.4(b) of Zoning By-law (2023)-20790, as amended, is required as the By-law requires all loading spaces facing a public street be screened with a minimum 3 metre wide buffer strip.

The applicant has provided an updated site plan and landscape plans that show new landscape medians with trees, and a new landscape buffer bump out that will partially screen the off-street loading space. Staff are satisfied that the proposed changes will adequately partially screen the off-street loading space from the public street. Given that this is an industrial zoned property, and an off-street loading space is required, staff can support the partial screening of the off-street loading space and are of the opinion that the variance meets the general intent and purpose of both Zoning By-laws.

The requested variance to both By-laws is also considered to be desirable for the appropriate development of the lands and minor in nature as it will facilitate an off-street loading space for an industrial addition in accordance with the industrial land use designation of the Official Plan. In addition, the subject property is surrounded by industrially zoned properties so there are no anticipated negative impacts to surrounding properties if the off-street loading space is partially visible from the public street. Staff are recommending that the landscape details be finalized and approved through the site plan approval process.

The requested variance to both the 1995 and 2023 Zoning By-law is considered to meet the general intent and purpose of the Official Plan, meets the general intent and purpose of the Zoning By-law, is desirable for the appropriate development of the lands and is considered to be minor in nature.

Staff recommend approval of the variance application subject to the above noted condition.

Engineering Services

Engineering has no concerns with the applicant's request to seek relief from the by-Law requirements to permit an off-street loading space that is partially visible from a public street.

We agree with the recommendation made by Building and Planning staff.

Building Services

This property is located in the Industrial (B.2) Zone under Zoning By-law (1995)-14864, as amended and Industrial (B) Zone under council approved Comprehensive Zoning By-law (2023)-20790, as amended. An application for Site Plan Approval has been submitted which is proposing a loading area along the front face of the building visible from Watson Road. Both zoning by-laws require loading spaces to facing the street to be screened to reduce visibility from a public street.

Though the loading bay is on the front face of the building, the proposed L shape configuration places the loading space technically within the side yard as per the definition of Front yard: "Front Yard" means a Yard that extends across the full width of a Lot measured at right angles to the Front Lot Line and extends back to the nearest foundation wall of the Main Building facing the Street. The applicant has proposed additional landscaping in the parking area and around the driveway entrance to the property to provide partial screening from the street to the loading space.

A building permit is required prior to the construction of the addition, at which time requirements under the Ontario Building Code will be reviewed.

Building has no concerns with the application.

Comments from the Public

None

Contact Information

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